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Our File No.: 150531.001

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK VICINAGE**

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:  
UNITED STATES OF AMERICA, :  
:  
Plaintiff, : DOCKET NO: 2:08-cr-762  
:  
v. :  
:  
RUSSELL HERZOG, : ORDER FOR RETURN OF PASSPORT TO  
:  
Defendant. : DEFENDANT  
:  
:  
:  
: (DOCUMENT ELECTRONICALLY FILED)  
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THIS MATTER having come before the Court at the request of the defendant, Russell Herzog, (Blair R. Zwillman, Esq., of the law firm of Wilentz, Goldman & Spitzer, P.A. appearing), for an Order directing the United States to return a passport previously retrieved from the defendant, with the consent of the United States (Ralph J. Marra, Jr., Acting United States

Attorney; Mark J. McCarren, Assistant United States Attorney appearing); and it appearing that the United States has previously taken possession of the passport owned by the defendant, and the need for government retention of same having been eliminated, and the Court having considered this matter, and for other good cause shown;

IT IS on this 9th day of April, 2009,

**HEREBY ORDERED** that the United States or any agency thereof presently in possession of defendant's passport return said document to defendant at this time.

By: 

HON. WILLIAM H. WALLS,  
Senior United States District Judge

Dated: \_\_\_\_\_, 2009